

No. 11(112)-80-8 Lab/13421.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workman and the management of M/s. Rabindra Textile Mills 14/5, Mathura Road, Faridabad.

IN THE COURT OF SHRI ISHWAR PRASAD CHAUDHRY, PRESIDING OFFICER, LABOUR COURT,  
HARYANA, FARIDABAD

Reference No. 68 of 1980

*between*

SHRI RAM PAL SINGH, WORKMAN AND THE MANAGEMENT OF M/S.  
RABINDRA TEXTILE MILLS, 14/5 MATHURA ROAD, FARIDABAD

Present :—

Shri R.N. Roy, for the workman.

Shri D.C. Bharadwaj with Shri K.B.L. Malik, for the respondent management.

#### AWARD

This reference No. 68 of 1980 has been referred to this Court by the Hon'ble Governor of Haryana,—vide his order No. ID/FD/168-79/8707, dated 19th February, 1980 under section 10(i)(c) of the Industrial Disputes Act, 1947 existing between Shri Ram Pal Singh and the management of M/s Rabindra Textile Mills, 14/5, Mathura Road, Faridabad. The term of the reference was :—

Whether the termination of services of Shri Ram Pal Singh was justified and in order ? If not, to what relief is he entitled ?

On receipt of the order of reference, notices were sent to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, issues were framed on 31st July, 1980. On 21st November, 1980 the last date of hearing the case was fixed for the evidence of the management, when Shri R. N. Roy authorised representative of the workman made a statement in this court that the management has agreed to reinstate Shri Ram Pal Singh, workman with continuity of service and was ready to pay him two months pay as ex gratia for the period he remained un-employed. He could resume duty within seven days from 21st November, 1980. This statement was duly agreed to by the representative of the management.

In view of the statement of both the parties, I hold that there is now no dispute left between the parties for adjudication. I give my award in terms of the statements of the parties and answer this reference in these terms while returning the same. No order as to costs.

Dated 30th November, 1980.

ISHWAR PRASAD CHAUDHRY,  
Presiding Officer,  
Labour Court, Haryana,  
Faridabad.

Endstt. No. 2249, dated 21st December, 1980.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Department, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947 with the request that the receipt of the above said award may please be acknowledged within week's time.

ISHWAR PRASAD CHAUDHRY,  
Presiding Officer,  
Labour Court, Haryana,  
Faridabad.

No. 11(112)-80-8Lab/13425.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workman and the management of M/s Sarswati Ceramics and Refractori Pvt. Ltd., Plot. No. 105, Sector 25, Faridabad.

IN THE COURT OF SHRI ISHWAR PRASAD CHAUDHRY, PRESIDING OFFICER,  
LABOUR COURT, HARYANA, FARIDABAD.

Reference No. 332 of 1980

*between*

SHRI BHULLER, WORKMAN AND THE MANAGEMENT OF M/S. SARSWATI CERAMICS  
AND REFRACTORIES PRIVATE LIMITED, PLOT NO. 105, SECTOR 25, FARIDABAD.

Present :—

Shri Sunehari Lal, for the workman.

None for the respondent management.

## AWARD

This reference No. 332 of 1980 has been referred to this Court by the Hon'ble Governor of Haryana,—*vide* his order No. ID/FD/52-80/39780, dated 4th August, 1980, under section 10(i)(c) of the Industrial Disputes Act, 1947 for adjudication of the dispute existing between Shri Bhuller workman and the management of M/s. Sarswati Ceramics and Refractories Private, Ltd., Plot. No. 105, Sector 25, Faridabad. The terms of the reference was :—

Whether the termination of services of Shri Bhuller was justified and in order,? If not, to what relief is he entitled?

After receiving this reference notices were issued to both the parties who appeared before me, but on 3rd November, 1980 none was present from the side of the management. On the previous date of hearing Shri D. D. Aggarwal was appeared on behalf of the respondent management. I waited upto 1.30 p. m. for the presence of the respondent management or its representative, but none came up and I proceeded *ex parte* against the management and case was fixed for *ex parte* evidence of the workman for 10th November, 1980.

On 10th November, 1980 *ex parte* evidence of the workman was recorded. It was stated that he was working with the respondent company from 14th August, 1974 as a Table Man at Rs. 260 per mensem. The workman stated that he was permanent employee of the respondent management. He along with other employees served a general demand notice on the management. On which two settlements were arrived at between the parties, which are Ex. W-1 and W-2. The workman further stated that he was an active member of the union so he became eye sore of the management. On this solitary ground the management respondent terminated the services of the workman along with others on 1st February, 1980. Then the workman raised a demand before the conciliation Officer on which a settlement was arrived at between the parties on 5th March, 1980. The copy of which is Ex. W-3. After that the management stopped him for resuming his duty. On which he made a complaint to the Conciliation Officer, copy of which is Ex. W-4. On 13th March, 1980 the management lodged a complaint of theft in the Police Station and the police gave him and others beatings and under the pressure of police the workmen signed some papers the management wanted to get signed. Against this they made a complaint to the concerned authorities, copy of which is Ex. M-5 and postal receipt is Ex. W-6. The management terminated the services of the workman illegally and arbitrarily. He further stated that he was un-employed till now and prayed that he be reinstated with full back wages and continuity of service.

Keeping in view the circumstances of the case, I see no reason why the un rebutted *ex parte* statement of the workman given on oath should not be belied especially when the management chose not to appear and defend this reference before this Court. So I believing the statement of the workman, hold that the termination of the services of the workman was not justified, improper and not in order. He is entitled to be re-instated with full back wages and continuity of service.

This be read in answer to this reference. No order as to costs.

The 30th November, 1980.

ISHWAR PRASAD CHAUDHRY,

Presiding Officer,  
Labour Court, Haryana.  
Faridabad.

Endorsement No. 2237, dated the 2nd December, 1980.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Department, Chandigarh as required under section 15 of the Industrial Disputes Act.

ISHWAR PRASAD CHAUDHRY,

Presiding Officer,  
Labour Court, Haryana,  
Faridabad.

No. 11(112)-80-8Lab/13426.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workmen and the management of M/s Rabindra Textile Mills 14/5, Mathura Road, Faridabad.

IN THE COURT OF SHRI ISHWAR PRASAD CHAUDHRY, PRESIDING OFFICER, LABOUR COURT, HARYANA, FARIDABAD

Reference No. 99 of 1980

between

SHRI MAHENDER KUMAR, WORKMAN AND THE MANAGEMENT OF M/S RABINDRA TEXTILE MILLS, 14/5, MATHURA ROAD, FARIDABAD

Present :

Shri R. N. Roy for the workman.

Shri D. C. Bhardwaj with Shri K.B.L. Malik for the respondent-management.



## AWARD

This reference No. 99 of 1980 has been referred to this Court by the Hon'ble Governor of Haryana,—*vide* his order No. ID/FD/202-79/10767, dated 28th February, 1980 under section 10(i)(c) of the Industrial Disputes Act, 1947 existing between Shri Mohender Kumar and the management of M/s Rabintra Textile Mills, 14/5, Mathura Road, Faridabad. The term of the reference was :—

“Whether the termination of services of Shri Mahender Kumar was justified and in order ? If not to what relief is he entitled ?

On receipt of the order of reference, notices were sent to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, issues were framed on 18th July, 1980. On 21st November, 1980 the last date hearing the case was fixed for the evidence of the management, when Shri R. N. Roy authorised representative of the workman made a statement in this Court that the management has agreed to reinstate Shri Mahender Kumar workman with continuity of service and was ready to pay him two months pay as *ex gratia* for the period he remained unemployed. He could resume duty within seven days from 21st November, 1980. This statement was duly agreed to by the representative of the management.

In view of the statement of both the parties, I hold that there is now no dispute left between the parties for adjudication. I give my award in terms of the statements of the parties and answer this reference in these terms while returning the same. No order as to costs.

Dated : the 30th November, 1980.

ISHWAR PRASAD CHAUDHRY,

Presiding Officer,  
Labour Court, Haryana, Faridabad.

Endorsement No. 2251, dated 2nd December, 1980

Forwarded (Four copies) to the Secretary to Government, Haryana, Labour & Employment Department, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947 with the request that the receipt of the above said award may please be acknowledged with week's time.

ISHWAR PRASAD CHAUDHRY,

Presiding Officer,  
Labour Court, Haryana, Faridabad.

No. 11(112)-80-8Lab/13428.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s New India Dyeing & Finishing Mills, 14/5, Mathura Road, Faridabad.

IN THE COURT OF SHRI ISHWAR PRASAD CHAUDHRY, PRESIDING OFFICER, LABOUR COURT HARYANA, FARIDABAD

Reference No. 149 of 1980

between

SHRI RAM MURAT, WORKMAN AND THE MANAGEMENT OF M/S NEW INDIA DYEING AND FINISHING MILLS, 14/5, MATHURA ROAD, FARIDABAD

Present :

Shri R. N. Roy for the workman.

Shri D.C. Bhardwaj with Shri K.B.L. Malik for the respondent-management.

## AWARD

This reference No. 149 of 1980 has been referred to this Court by the Hon'ble Governor of Haryana,—*vide* his Order No. ID/FD/253-79/10616, dated 27th February, 1980 under section 10(i)(c) of the Industrial Disputes Act, 1947 existing between Shri Ram Murat and the management of Ms/ New India Dyeing and Finishing Mills, Faridabad. The term of the reference was :—

“Whether the termination of services of Shri Ram Murat was justified and in order ? If not to what relief is he entitled ?

On receipt of the order of reference, notices were sent to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, issues were framed on 18th July 1980. On 21st November, 1980 the last date hearing the case was fixed for the evidence of the management, when Shri R. N. Roy authorised representative of the workman made a statement in this Court that the management has agreed to reinstate Shri Ram Murat workman with continuity of service and was ready to pay him two months pay as exgratia for the period he remained unemployed. He could resume duty within seven days from 21st November, 1980. This statement was duly agreed to by the representative of the management.

In view of the statement of both the parties, I hold that there is now no dispute between the parties for adjudication. I give my award in terms of the statements of the parties and answer this reference in these terms while returning the same. No order as to costs.

Dated : the 30th November, 1980.

ISHWAR PRASAD CHAUDHRY,

Presiding Officer,  
Labour Court, Haryana, Faridabad.

Endorsement No. 2260, dated 2nd December, 1980

Forwarded (Four copies) to the Secretary to Government Haryana, Labour & Employment Department, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947 with the request that the receipt of the above said award may please be acknowledged within week's time.

ISHWAR PRASAD CHAUDHRY,

Presiding Officer,  
Labour Court, Haryana, Faridabad.  
Labour Court, Haryana, Faridabad.

No. 11(112)-80-8Lab/13431.—In pursuance of the provision of section 17 of the Industrial Disputes Act 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workmen and the management of M/s New India Dyeing & Finishing Mills 14/5, Mathura Road, Faridabad.

IN THE COURT OF SHRI ISHWAR PRASAD CHAUDHRY, PRESIDING OFFICER, LABOUR COURT, HARYANA, FARIDABAD

Reference No. 148 of 1980

Between

SHRI RAM SHANKAR YADAV, WORKMAN AND THE MANAGEMENT OF M/S NEW INDIA DYEING AND FINISHING MILLS, 14/5, MATHURA ROAD, FARIDABAD

Present :

Shri R. N. Roy for the workman.

Shri D.C. Bhardwaj with Shri K.B.L. Malik for the respondent management.

AWARD

This reference No. 148 of 1980 has been referred to this Court by the Hon'ble Governor of Haryana,—vide his order No. ID/FD/252-79/10622, dated 27th February, 1980 under section 10(i)(c) of the Industrial Disputes Act, 1947 existing between Shri Ram Shankar Yadav and the management of Ms/ New India Dyeing & Finishing Mills, Faridabad. The term of the reference was :—

“Whether the termination of services of Shri Ram Shankar Yadav was justified and in order ? If not, to what relief is he entitled ?

On receipt of the order of reference, notices were sent to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, issues were framed on 16th July, 1980. On 21st November, 1980 the last date hearing the case was fixed for the evidence of the management, when Shri R. N. Roy authorised representative of the workman made a statement in this Court that the management has agreed to reinstate Shri Ram Shankar Yadav workman with continuity of service and was ready to pay him two months pay as *ex gratia* for the period he remained unemployed. He could resume duty within seven days from 21st November, 1980. This statement was duly agreed to by the representative of the management.



In view of the statement of both the parties, I hold that there is now no dispute left between the parties for adjudication. I give my award in terms of the statements of the parties and answer this reference in these terms while returning the same. No order as to costs.

Dated : The 30th November, 1980.

ISHWAR PRASAD CHAUDHRY,  
Presiding Officer,  
Labour Court, Haryana, Faridabad.

Endorsement No. 2259, dated 2nd December, 1980

Forwarded (Four copies) to the Secretary to Government, Haryana, Labour & Employment Departments Chandigarh as required under section 15 of the Industrial Disputes Act, 1947 with the request that the receipt of the above said award may please be acknowledged within week's time.

ISHWAR PRASAD CHAUDHRY,  
Presiding Officer,  
Labour Court, Haryana, Faridabad.

No. 11(112)-80-8Lab/13432.—In pursuance of the provision of section 17 of the Industrial Disputes Act 1947 (Act XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s New India Dyeing & Finishing Mills, 14/5, Mathura Road, Faridabad.

IN THE COURT OF SHRI ISHWAR PRASAD CHAUDHRY, PRESIDING OFFICER, LABOUR COURT, HARYANA, FARIDABAD

Reference No. 94 of 1980

between

SHRI CHOTTEY LAL, WORKMAN AND THE MANAGEMENT OF M/S NEW INDIA DYEING AND FINISHING MILLS, 14/5, MATHURA ROAD, FARIDABAD

Present :

Shri R. N. Roy for the workman.

Shri D.C. Bhardwaj with Shri K.B.L. Malik for the respondent-management.

#### AWARD

This reference No. 94 of 1980 has been referred to this Court by the Hon'ble Governor of Haryana,—vide his order No. ID/FD/ , dated 28th February, 1980 under section 10(i)(c) of the Industrial Disputes Act, 1947 existing between Shri Chottey Lal and the management of M/s New India Dyeing & Finishing Mills, Faridabad. The term of the reference was :—

“Whether the termination of services of Shri Chhotey Lal was justified and in order ? If not to what relief is he entitled ?

On receipt of the order of reference, notices were sent to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, issues were framed on 18th July, 1980. On 21st November, 1980 the last date hearing the case was fixed for the evidence of the management, when Shri R. N. Roy authorised representative of the workman made a statement in this Court that the management has agreed to reinstate Shri Chhotey Lal workman with continuity of service and was ready to pay him two months pay as *ex gratia* for the period he remained unemployed. He could resume duty within seven days from 21st November, 1980. This statement was duly agreed to by the representative of the management.

In view of the statement of both the parties, I hold that there is now no dispute left between the parties for adjudication. I give my award in terms of the statements of the parties and answer this reference in these terms while returning the same. No order as to costs.

Dated ; the 30th November, 1980.

ISHWAR PRASAD CHAUDHRY,  
Presiding Officer,  
Labour Court, Haryana, Faridabad.

Endorsement No. 2257, dated 2nd December, 1980

Forwarded (Four copies) to the Secretary to Government, Haryana, Labour & Employment Department, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947 with the request that the receipt of the above said award may please be acknowledged within week's time.

ISHWAR PRASAD CHAUDHRY,  
Presiding Officer,  
Labour Court, Haryana, Faridabad.